

Testimony of
Doris Meissner, Commissioner
Immigration and Naturalization Service
Before
The House Judiciary Committee
Subcommittee on Immigration and Claims Thursday, February 27, 1997 at
1:00 p.m.
Room 2237 of the Rayburn House Office Building

Thank you, Chairman Smith, Congressman Watt, and Members of the Subcommittee. I am before you today to discuss the actions we have taken since I last testified before you regarding the June 1995 visit of the Congressional Task Force on Immigration Reform to Miami and the Inspector General's (IG) report concerning that visit.

The IG report substantiated serious allegations made by employees of our Miami District, citing actions taken in Miami in anticipation of the Task Force visit. The IG found that managers in the Miami District had taken a series of actions that masked actual work conditions in the District and as such deceived Congress by giving a false impression of the challenges the Congress and the Executive branch were jointly attempting to address. I understood and supported the vital importance of the Task Force seeing first hand the challenges INS employees confront. To this day, I do not understand why my instructions that no extraordinary actions be taken in anticipation of the Task Force visit were violated, and deeply regret the damage it has done to our relationship with Congress, and with this Committee.

We have received unprecedented support from the Congress during a period of renewed attention to INS' mission of enforcing our laws against illegal immigration and preserving our immigration heritage. The deception of Congress is particularly painful to me, because it runs directly counter to my commitment to improve the credibility and professionalism of the INS. I cannot overstate, as I said in September, how much I regret that this incident took place. The actions described in the IG report put into jeopardy not only INS' relationship with you and the Congress at large, but also broke faith with me.

The IG report implicated 13 employees at all ranks of INS. When I testified before this Subcommittee last September, following the issuance of the Inspector General's report, I explained that, in light of the seriousness of the allegations made against INS employees, and to ensure the integrity, consistency, and fairness of discipline that could result from the Inspector General's findings, I had asked the Department of Justice to conduct the disciplinary process. As you know, the Department has now concluded that process. We are moving quickly to effect the disciplinary actions. In addition, to ensure a productive relationship with Congress and to move forward on the strongest footing in the aftermath of this issue, I have decided to reassign the two most senior employees involved in the matter. I hope the issuance of disciplinary decisions and other management actions I have taken, mark the close of a sad and painful chapter for all of us at the INS.

Accountability and fairness are fundamental management principles which I uphold. The Government's investigative and personnel processes in this episode have been long and complex. However, no stone has been left unturned and the process has been thorough and complete.

Since the IG report was issued in June, INS has worked diligently on several fronts.

First, we have repeatedly reiterated throughout the Service the fundamental message that honesty and integrity must be at the core of all our work.

Second, we have responded aggressively to the systemic and managerial questions raised in the IG report as a result of their work in Miami. We have already shared with you numerous instructions and directives issued as a result of the IG's findings and which are detailed in an Appendix (I) to this testimony. We are working closely with our managers in the field to ensure full compliance with these directives, not only in Miami, but throughout the Service.

Third, in specific response to management concerns at the Miami District, I immediately put into place seasoned INS managers to act in the positions of District Director and Deputy. We strengthened their hands with a Management Review Team to address the specific issues that were identified by the IG and to provide me with a comprehensive assessment of the Miami office's management needs and the basis for a get-well plan. This team consisted of experts in the areas of inspections, detention and deportation, labor management, and overall administration of District operations. The Team's major findings are described in an Appendix (II) to this testimony and have been provided to Members in the form of three management reports issued since June 1996.

Fourth, we have implemented a management review program which will enable us to have regular and systematic oversight over field operations.

You will recall that last September I announced INSpect (the INS program for Excellence and Comprehensive Tracking), a \$3.5 million initiative developed over the past two years to carry out top-to-bottom assessments of INS field operations. INSpect will more than triple the number of full-time evaluators dedicated to reviewing operations at the INS field offices, and will create a highly trained group of approximately 500 officers who will travel the country performing INSpect assessments. I am grateful for the support that Congress has given us in this regard.

The commitment of resources to INSpect allows us to review the operations of critical facilities, such as detention centers and large offices, every 2-years. Other offices will be inspected on a 3-year cycle. Additional teams will be available to be sent to the field on an as-needed basis. INSpect will ensure that Service policy, rules and regulations are being properly implemented. INSpect will touch nearly all of our 25,000 employees, and represents an aggressive, systematic approach to fostering a culture of accountability within INS. One of the very first INSpect assessments will examine the Krome Processing Center in Miami. An INSpect team visited Krome on December 4-13, 1996, and is currently preparing its report.

With the decisions on disciplinary action now having been taken, and with additional senior level reassignments to ensure, it is my sincere hope that we can turn our attention to the future. There is, as always, much work to be done. I am very pleased to have announced that Bob Wallis, who has been the acting INS District Director in Miami since shortly after the release of the Inspector General's report in June 1996, has been selected as the permanent District Director in Miami for that office. The disciplinary decisions of the Department of Justice in this case are significant and have sent a message throughout INS that serves to reinforce my message that the highest standards of integrity in carrying out the Service's mission must be upheld.

Mr. Chairman, I will repeat what you have heard me say, publicly, and privately, many times before: We will continue to pursue diligently every available avenue to protect and strengthen the integrity of the work of the INS. I urge you and members of the committee to call on me without hesitation if you have any concerns on information of any kind about integrity matters. You have my work and commitment that I will respond.

Thank you

Appendix I: Instructions Issued

"Information and Evidence Requested in Investigations" issued July 26, 1996

"Instructions for Medical Clearance of aliens at Service Processing Centers and Contract Facilities," issued July 26, 1996

"Implementation of the Immigration and Naturalization Service Firearms Policy," signed August 8, 1996

"Secondary Detention Procedures at Ports-of-Entry," issued August 16, 1996

"Inspections Program Guidance on Uniform Leather Gear and Related Item" "Inspections Program Firearms Policy Issues and Procedures," issued December 3, 1996

Appendix II: Summary of Miami Management Review Team

On July 26, 1996, the Management Review Team provided an assessment of the systemic issues addressed in the IG's report, as well as additional operational and management matters not specifically identified by the IG. I provided a copy of the Team's report to you on August 22, 1996.

Since that time, the Management Review Team has issued interim and final reports which were also forwarded to you. On January 21, Deputy Commissioner Sale briefed staff members of this Committee on the status of those reports. The final report outlines significant actions taken to improve the Miami District's operations and to address areas of deficiency noted in the IG's report.

As a result of our combined efforts in Miami, the detention and removal systems and procedures, including the Krome facility, are significantly improved and we are addressing backlog cases under proceedings. We have revitalized the labor management program, including providing training to 109 supervisors. Airport detention procedures, employee overtime scheduling, and uniform issues have all been addressed.

By revamping of administrative procedures in Miami financial management deficiencies have been corrected and improved processes have been redesigned. Since September 5, 1996, the District vacancy rate has been reduced from 8.2 percent to 5 percent. By December 21, 1996, total vacancies had been reduced to 53 in a workforce of 1,041 positions. For those 53 vacancies, 9 had completed the clearance process and were pending entrance on duty. This represents a drastic improvement from the 14.5 percent vacancy rate that existed in July 1996.

Management representatives from the INS Eastern Region and Headquarters have visited the District regularly. Those visits confirm the positive results enumerated in the Management Review Team's report.